

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
THIS CERTIFICATE SUPERSEDES CERTIFICATE RECORDED IN VOL. 4 OF WATER RIGHT CERTIFICATES AT PAGE 43, DATED 3/26/29  
**CERTIFICATE OF WATER RIGHT**

☒ Surface Water

(Issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

☐ Ground Water

(Issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE 1865 (Class 6)	APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER VOL. 4, PAGE 43
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NAME H. WILSON KERNS			
ADDRESS (STREET) Route 3, Box 312-A	(CITY) Walla Walla,	(STATE) Washington	(ZIP CODE) 99362

*This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.*

PUBLIC WATERS TO BE APPROPRIATED

SOURCE Yellowhawk Creek		
TRIBUTARY OF (IF SURFACE WATERS) Walla Walla River		
MAXIMUM CUBIC FEET PER SECOND 0.26	MAXIMUM GALLONS PER MINUTE	MAXIMUM ACRE-FEET PER YEAR 65

QUANTITY, TYPE OF USE, PERIOD OF USE  
0.169 cubic feet per second from April 1 to July 1; 0.130 cubic feet per second from July 1 to October 1; and 0.260 cubic feet per second from October 1 to April 1, when allowed, for the irrigation of 13 acres.

LOCATION OF DIVERSION/WITHDRAWAL

APPROXIMATE LOCATION OF DIVERSION--WITHDRAWAL

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) NE¼SE¼	SECTION 22	TOWNSHIP N. 7	RANGE, (E. OR W.) W.M. 36 E.	W.R.I.A. 32	COUNTY Walla Walla
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RECORDED PLATTED PROPERTY

LOT	BLOCK	OF (GIVE NAME OF PLAT OR ADDITION)
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LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

The NE¼SE¼ of Section 22, Township 7 N., Range 36 E.W.M.  
  
Subject to existing roads and rights of way.  
  
Subject also to easements and restrictions of record, and also to such laws, rules and regulations relating to zoning and land use, as may now or hereafter apply.

EXCEPTING THEREFROM HOWEVER, the following described tract, to-wit:

Beginning at the Southwest corner of the NE¼SE¼ of Section 22, in Township 7 N., Range 36 E.W.M., and running thence North 00°37'30" West, along the West line of said NE¼SE¼, a distance of 268.0 feet; thence North 89°22'30" East, a distance of 20.0 feet to the true point of beginning for this description, said true point of beginning being the East line of the County Road known as Merrill Road; continue thence North 89°22'30" East, from said true point of beginning a distance of 199.03 feet; thence South 31°07' East, 188.45 feet; thence South 28°50' West, 25.45 feet to a point which is 60.0 feet North, measured at right angles, from the South line of the aforesaid NE¼SE¼; thence North 89°58'30" West, parallel to the South line of said NE¼SE¼, a distance of 194.72 feet to the East line of the aforementioned Merrill Road; thence North 00°37'30" West along the East line of said Merrill Road, a distance of 208.22 feet to the true point of beginning.



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PROVISIONS

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This Superseding Certificate reduces the quantities of water authorized for beneficial use through relinquishment, as provided by Chapter 90.14.160 RCW, and supersedes Certificate of Water Right recorded in Vol. 4 of Water Right Certificates at Page 43, dated March 26, 1929. Said Certificate was issued by a decree of the Superior Court of the State of Washington in and for Walla Walla County, made and entered on the 12th day of September, 1928 and recorded in Vol. 16 of the Superior Court Journal of said County at Page 1.

When the supply of water for irrigation purposes from April 1 to October 1 is insufficient to fill this right, the owner of this right is entitled to divert water for the period of October 1 to April 1.

If water is used during the last named period (October 1 to April 1) in addition to either or both of the two first named periods, the combined supply shall not exceed five (5) acre feet per year.

The above mentioned Decree established the Right in Class 6.

This change does not affect any element of this water right except those changes specifically authorized by and set forth in this Certificate.

*The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.020.*

**This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.**

*Given under my hand and the seal of this office at Spokane, Washington,*

*this 6th day of October, 1995.*

Department of Ecology

ENGINEERING DATA

OK CAC

by 

BRUCE F. HOWARD, Section Manager

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FOR COUNTY USE ONLY